

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
: Examiner: Virginia Manoharan
Duncan GUTHRIE :
: Group Art Unit: 1771
Application No. 10/585,469 :
: Atty Docket No: 0380-P04118US00
Filing Date: May 14, 2008 :
: Confirmation No: 7669
For: SOLVENT EVAPORATOR :
:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being transmitted on June 16, 2011 via the United States Patent and Trademark Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4).

/Thomas H. Walls/
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RESPONSE TO REQUIREMENTS FOR RESTRICTION

In response to the Requirement for Restriction under 35 U.S.C. §§ 121 and 372 set forth in the Official Action dated May 16, 2011, Applicant elects Group I, claims 1-4 and 6-28, without traverse.

As an additional matter, the Examiner has failed to identify which Group pending claims 51 and 52 belong to. Inasmuch as claims 51 and 52 depend, either directly or indirectly, from claim 29, Applicant assumes the Examiner intended to include claims 51 and 52 in Group II (claim(s) 29 and 32-50).

Applicant respectfully requests that if the restriction requirement is made final and if the claims of elected Group I (Claims 1-4 and 6-28) are found allowable, then the presently withdrawn method claims (claims 29 and 32-52) be rejoined and examined for patentability. MPEP § 1893.03(d) ("The sections of the MPEP relating to...rejoinder of non-elected inventions (MPEP § 821.04) generally also apply to national stage applications submitted under 35 U.S.C. 371. See MPEP § 823.").

Applicant's present election of the Group I claims for examination in the present application is without prejudice to their right to file a divisional application, as provided under 35 U.S.C. §121, on the subject matter of any claims finally held to be withdrawn from consideration in this application.

If a fee is required or an overpayment is made, the Commissioner is authorized to charge or credit the deposit account of the undersigned, Account No. 04-1406.

Early and favorable action on the merits of this application is respectfully solicited.

Respectfully submitted,

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